IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

-

WRIT PETITION NO : 7606 of 1995

Between:

1. K.Anjaneyulu S/o.Krishnaiah, aged: about 46 years.
2. K.Brahmaiah S/o.Chinna Peeraiah, aged: about 44 years.
3. K.Narasimhulu S/o.K.Krishnaiah, aged: about 60 years.
4. K.Sreedhar Prasad S/o.K.Narasimhulu, aged: about 42 years.

(All are residents of Kadapa Town and District)

..... PETITIONERS

AND

1. The District Collector, Kadapa.
2. The Mandal Revenue Officer, Pendlimarri Mandal, Kadapa District.
3. The Project Officer, P.G.Centre, Gangannapalli Village, Pendlimarri Mandal, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction mostly one which is in the nature of writ of mandamus declaring the action of the 3rd respondent in taking steps to occupy the lands in Gangannapalli Village, Pendlimarri Mandal, Kadapa District admeasuring Acrs.4.18 in Sy.No.1468/2 of the first petitioner as per DKT.1866/79, dated 31-3-72,

Acrs.4.22 in Sy.No.1468/3 of the 2nd petitioner as per DKT.1865/79, dt.31-3-72, Acrs.4.22 in Sy.No.14 of the 3rd petitioner as per DKT.925/77, dt.23-10-67 and Acrs.5.42 in Sy.No.18/A of the 4th petitioner as per DKT.924/77, dated 23-10-67 and without any authority from the respondents No.1 and 2 as illegal, irregular, arbitrary, unjustified, unsustainable and unconstitutional and direct the respondents to forebear from taking any such steps to evict the petitioners from the lands and pass such other order or orders as it may deem fit.

Counsel for the Petitioners : MR.P.VEERA REDDY

Counsel for the Respondents : GP FOR REVENUE

The Court made the following :

ORDER :

Grievance of the petitioners is that they are being evicted from the land assigned to them, but on their own showing, a notice had been given to which, reply was also submitted by them. Before waiting for final orders, they filed this Writ Petition.

In my view, the Writ Petition is premature. Let the authorities concerned pass appropriate orders after giving an opportunity of being heard to the petitioner, within a period of three weeks from today. Till three weeks, there shall be stay of all further proceedings in the matter.

Writ Petition is accordingly disposed of. No order as to costs.

_____

3rd February, 2005 BILAL NAZKI, J

ajr

To

1. The District Collector, Kadapa.

2. The Mandal Revenue Officer, Pendlimarri Mandal, Kadapa District.

3. The Project Officer, P.G.Centre, Gangannapalli Village, Pendlimarri Mandal, Kadapa District.

4. Two C.Cs. to the GP for Revenue, High Court of A.P., Hyderabad (OUT)

5. Two C.D. copies.